

COUNSELLORS AT LAW 28 STATE STREET BOSTON, MASSACHUSETTS 02109-1784 TELEPHONE (617) 227-7400 FAX (617) 742-4214 www.lahive.com

JOHN A. LAHIVE, JR. (1928-1997) THOMAS V. SMURZYNSKI GIULIO A. DeCONTI, JR. ELIZABETH A. HANLEY AMY BAKER MANDRAGOURAS ANTHONY A. LAURENTANO KEVIN J. CANNING JANE E. REMILLARD Deann Foran Smith DEBRA J. MILASINCIC, Ph.D. WILLIAM A. SCOFIELD, JR. SIBLEY P. REPPERT DAVID R. BURNS JOHN S. CURRAN. SEAN D. DETWEILER MEGAN E. WILLIAMS, Ph.D. HATHAWAY P. RUSSELL \* MARIA LACCOTRIPE ZACHARAKIS, Ph.D. DANIELLE L. HERRITT EUIHOON LEE " MANEESH GULATI CYNTHIA M. SOROOS PETER W. DINI, Ph.D. MICHAEL J. BASTIAN, Ph.D. CHRISTOPHER J. MCKENNA VINCENT P. LOCCISANO JAMES M. MCKENZIE

SENIOR COUNSEL JAMES E. COCKFIELD

OF COUNSEL JEREMIAH LYNCH JEANNE M. DIGIORGIO CYNTHIA L. KANIK, Ph.D. JOHN D. LANZA

PATENT AGENTS JONATHAN M. SPARKS, Ph.D. ANDRINA WILLIAMS ZINK CRISTIN E. HOWLEY, Ph.D. JILL ANN MELLO, Ph.D. CHRISTOPHER E. DRABIK

TECHNICAL SPECIALISTS CATHERINE M. BISHOP JACOB G. WEINTRAUB DEBORAH L. NAGLE, Ph.D. ANNE JACQUELINE WIZEMAN, Ph.D. BRIAN C. TRINQUE, Ph.D. CHRISTOPHER R. COWLES, Ph.D. JAMES H. VELEMA

CYNTHIA M. GILBERT Admitted in TX only \*\* Admitted in CT only

W. ELANA WANG

January 25, 2005

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Re:

For: FUEL CELL HAVING SEALANT FOR SEALING A SOLID POLYMER U.S. Patent Application No.: 09/847,901

ELECTROLYTE MEMBRANE Inventors: Massajiro Inoue, et al.

Filed: May 2, 2001

Our Ref. No.: SIW-008RCE

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

- Supplemental Information Disclosure Statement; 1.
- PTO Form SB/08; 2.
- Copies of references cited in PTO Form SB/08 (10);
- A copy of the Japanese Office Action; and 3. 4.
- A Return Postcard. 5.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached. Respectfully submitted,

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Anthony A. Laurentano, E

egistration No. 38,220

LAHIVE & COCKFIELD, LLP

Anthony A. I

Registration No. 38,220

Attorney for Applicants



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Massajiro Inoue, et al.

Serial No.: 09/847,901

Filed: May 2, 2001

For: FUEL CELL HAVING SEALANT FOR SEALING A SOLID POLYMER ELECTROLYTE

*MEMBRANE* 

Attorney Docket No.: SIW-008RCE

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Group Art Unit: 1745

Examiner: Raymond Alejandro

## Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

Date of Signature and of Mail Deposit

By:

Anthony A. Laurentano, Esq.

Reg. No. 38,220

Attorney for Applicants

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney have become aware of the following publications and information, cited in a Japanese Office Action mailed October 26, 2004 during the prosecution of 2000-133864 which corresponds to the above referenced application. In accordance with 37 CFR §1.97, Applicants hereby submit these publications for the Examiner's consideration. These publications are cited on the enclosed PTO Form SB/08, and a copy of the Report and each publication cited thereon are enclosed as well.

Serial Number: 09/847,901 Page -2- Group Art Unit: 1745

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application *for the first time* not more than three months prior to the filing of this statement.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Anthony A. Layrentano, Esq.

Registration No. 38,220 Attorney for Applicants

28 State Street Boston, MA 02109 (617) 227-7400

AAL/les Enclosures

PTO/SB/08a/b (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

1 of 1 Sheet

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.					
m 1449A/B/PTO			Complete if Known		
			Application Number	09/847,901	
MATION DISCLOSURE MENT BY APPLICANT			Filing Date	May 2, 2001	
			First Named Inventor	Massajiro Inoue	
			Art Unit	1745	
as many sheets as necessary)		Examiner Name	Raymond Alejandro		
1	of	1	Attorney Docket Number	SIW-008RCE	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	B1	6,451,468 B1	09-17-2002	Adachi	

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т°	
	B2	JP 59-103077	06-14-1984	Hino Motors Ltd.			
	В3	JP 61-143946	07-01-1986	Sanyo Electric			
	B4	JP 7-249417	09-26-1995	Toyota Motor Corp.			
	B5	JP 8-45517	02-16-1996	Tanaka Kikinzoku Kogyo, Inc.			
	B6	WO 99/04446 A1	01-28-1999	Ballard Power Systems Inc.			
	B7	JP 11-204122	07-30-1999	Toshiba Corp.			
	B8	WO 99/53559 A1	10-21-1999	Three Bond Co., Ltd.			
	B9	JP 2000-48832	02-18-2000	Mitsubishi Plastics Industries			
	B10	JP 2000-133288	05-12-2000	NOK Corp.			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Date Signature Considered			
	Examiner	Date	
	Signature		

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.